IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition No.8102 of 2007

1. Chandrakant sJayram Toraskar
and others ..Petitioners

vs.

1. Smt.Sulochana Raghoba
Toraskar and others ..Respondents

Shri S.Y.Katkade for petitioner.

CORAM: S.C.DHARMADHIARI J.
20th December, 2007

P.C.

1. This writ petition is not maintainable because now the Maharashtra Revenue Tribunal has been brought into existence and it would start functioning as assured to this Court from 21st January, 2008. It is undisputed before me that the order under challenge is passed on an appeal under sec.74 of the Bombay Tenancy and Agricultural Lands Act, 1948. That order is capable of being revised under sec.76 of the said Act by approaching the Tribunal. In the present circumstances, even if it is assured that the Tribunal would become functional from 21st January, 2008, interest of justice would be subserved if the petitioners are permitted to approach the Tribunal and apply for interim

relief. Shri Katkade prays for some time to enable the petitioners to do so. In such circumstances, it is directed that the order dated 27th February, 2007 passed by Sub Divisional Officer, Sawantwadi shall not be acted upon for a period of 12 weeks from today. In case the petitioners are not able to get any interim/ad-interim orders within this period, ad-interim order granted by this Court would come to an end after 12 weeks without any further reference to the Court. Petition is disposed of.

(S.C.DHARMADHIKARI J.)